

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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**Erik Becerra,**

**Civil No. 08-5511 (JMR/JJG)**

Plaintiff,

v.

**ORDER**

**Joan Fabian, et al.,**

Defendants.

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This matter is before the undersigned on the report and recommendation of the United States Magistrate Judge. No objections have been filed to that report and recommendation in the time period permitted. Based on the report and recommendation of the Magistrate Judge, and being advised of all the files, records, and proceedings herein, **IT IS HEREBY ORDERED THAT:**

1. The defendants' motion to dismiss (Doc. No. 19) is **GRANTED**.
2. Becerra's motion for a temporary restraining order (Doc. No. 14) is **DENIED**.
3. Becerra's other motions (Doc. Nos. 11, 12) are **DENIED AS MOOT**.
4. All claims in this matter are **DISMISSED WITHOUT PREJUDICE** and this litigation is closed.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated this 24<sup>th</sup> day of March, 2009.

s/James M. Rosenbaum  
**JAMES M. ROSENBAUM**  
United States District Judge